

SENATE BILL REPORT

SB 5506

As Reported By Senate Committee On:
Land Use & Planning, February 27, 2003

Title: An act relating to final orders of growth management hearings boards; and amending RCW 36.70A.300.

Brief Description: Specifying additional requirements for final orders of growth management hearings boards.

Sponsors: Senators T. Sheldon and Mulliken.

Brief History:

Committee Activity: Land Use & Planning: 2/10/03, 2/27/03 [DP].

SENATE COMMITTEE ON LAND USE & PLANNING

Majority Report: Do pass.

Signed by Senators Mulliken, Chair; McCaslin, Morton and T. Sheldon.

Minority Report: Do not pass.

Signed by Senator Kline.

Staff: Tim Watterson (786-7441)

Background: Under current statute, a final order issued by a growth management hearings board must find that the respondent state agency, county, or city is either (1) in compliance with the requirements of the Growth Management Act, the Shorelines Management Act, or the State Environmental Policy Act, or (2) is not in compliance with these statutes. If not in compliance, then the board must remand the noncompliant matter to the agency or local government and specify a time limit for compliance with statutory requirements. The board may also issue a determination of invalidity.

Summary of Bill: A final order of the board must also clearly state the requirements for compliance by the agency or local government with the board's order. If the board subsequently finds that the agency or local government complies with the requirements of the prior order, then the board must find compliance under the statute.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Hearings boards can review compliance on matters remanded, but the bill prevents boards from "moving goalposts." Raising new issues in compliance hearings is unfair and very costly to local governments.

Testimony Against: None.

Testified: Senator Sheldon, prime sponsor; Darren Neinaber, Mason County (pro).